

## **REMARKS**

Claims 2 and 4 are pending. Claims 2 and 4 are rejected. Claims 2 and 4 are submitted for further consideration in view of the below remarks. Applicants respectfully request reconsideration and withdrawal of all rejections.

The Office Action rejects claims 2 and 4 under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicants respectfully submit that the recitation of "having a "12" genotype" (claim 2) and "having a "11" genotype" (claim 4) would be readily understood by one of ordinary skill in the art. The "11" genotype refers to an AA genotype in terms of nucleotides and a lysine/lysine in terms of the amino acids. The "12" genotype refers to an AG genotype in terms of nucleotides and lysine/arginine in terms of the amino acids. If additional clarification is needed, please see the Specification at Example 1, page 7, middle paragraph, disclosing a method for identifying this variant and especially the sequence within the disclosure.

Thus, Applicants respectfully request that the rejections under 35 U.S.C. 112, second paragraph be reconsidered and withdrawn.

The Office Action rejects claims 2 and 4 under 35 U.S.C. § 112, first paragraph, for lack of enablement. The Office Action asserts that "[t]here is no guidance given as to what levels of 'extensive exercise' that are less than nine months of endurance training might work in the instant methods" (Office Action, page 8, second sentence of the first full paragraph).

However, Applicants respectfully submit that the present specification provides clear guidance as to the levels of "extensive exercise" that work in the presently claimed method. In particular, the present specification clearly defines that "[t]he term 'extensive exercise' means about 10 single courses of exercise or more, preferably at least 15, at

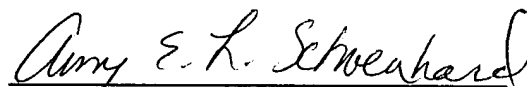
least 20, or at least 25 single courses of exercise, over a defined period of time ('the exercise period'). The exercise period in the case of an extensive exercise protocol may be from about 50-400 days, preferably from about 70-350 days or 100-300 days. The time between exercise courses depends on the health and endurance of the subject. Preferably, the time between exercise courses may be from about 1-3 days or more" (Specification, page 4, lines 6-13).

Thus, Applicants respectfully request that the rejections under 35 U.S.C. 112, first paragraph, be reconsidered and withdrawn.

In view of the remarks above, Applicants respectfully submit that this application is in condition for allowance and request favorable action thereon.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referencing attorney docket no. 108172-00071.

Respectfully submitted,



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Enclosure: Petition for Extension of Time